

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:08-CV-193-F

JOHN D. BLACK,
Plaintiff,

v.

NEW JERSEY GOVERNMENT,
CITY OF NEWARK a municipal corporation
Of the state of N J RONALD RICE New Jersey
State senator/HOMEDEPORE, N J
N.J MOTOR VEHICLE SERVICE/
COMMISSION/ SHARP JAMES (X) CORY
BOOKER, Mayor of Newark, N J
Defendants.

ORDER

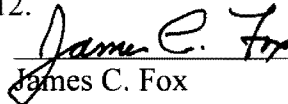
This matter is before the court on the “Motion to Make Known” [DE-99] and “Motion for Default Judgment” [DE-100] filed by the *pro se* Plaintiff. Although neither document is a model of clarity, it appears that Plaintiff seeks relief on the basis that he received a letter from the Clerk of Court with an envelope stamped “special mail open only in the inmate’s presence.” Plaintiff appears to believe that he should not have been charged the \$455 filing fee in connection with his appeal in this matter.

Plaintiff’s requests for relief are DENIED. There is no question that Plaintiff received an envelope that inadvertently was stamped as “inmate mail.” That does not mean, however, that Plaintiff is entitled to any relief. The amount of the fee he was required to pay in connection with his appeal was not contingent upon his status as a non-inmate. Other than an apology for any confusion the stamped envelope may have caused—which Plaintiff already has received from the Clerk of Court—Plaintiff is not entitled to any relief.

Plaintiff continues to file motions and documents in this case, despite the fact that judgment was entered in this case on March 4, 2009. Plaintiff filed a notice of appeal on March 20, 2009. The Fourth Circuit Court of Appeals dismissed Plaintiff's appeal on October 19, 2009. Since that date, Plaintiff has filed at least ten motions or letters requesting various relief from this court. *See* Docket Entries 66, 68, 69, 72, 73, 75, 78, 84, 88, 99, 100. This case, however, is closed, and the court cannot resurrect the case after the issuance of the Fourth Circuit's mandate.

Therefore, the Clerk of Court is DIRECTED to dispense with taking any new materials into the record of this case.

SO ORDERED. This the 29th day of February, 2012.


James C. Fox
Senior United States District Judge